IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

WP(C).No. 33610 of 2006(A)

PETITIONER:

G.D.REJI, KARTHIKA,
KANAVILA JUNCTION, OORUTTAMBALAM P.O.,
THIRUVANANTHAPURAM-7.

BY ADV. SMT.C.G.PREETHA

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT, DEPARTMENT OF
GENERAL EDUCATION, SECRETARIAT, THIRUVANANTHAPURAM

2. REGIONAL OFFICER,
REGIONAL OFFICE, PUBLIC SERVICE COMMISSION,
ERNAKULAM.

3. KERALA PUBLIC SERVICE COMMISSION
REPRESENTED BY ITS SECRETARY, OFFICE OF
KERALA PUBLIC SERVICE COMMISSION,
PATTOM, THIRUVANANTHAPURAM.

4. DIRECTOR, DEPARTMENT OF TECHNICAL
EDUCATION, EAST FORT, THIRUVANANTHAPURAM.

5. DIRECTOR, STATE BOARD OF VOCATIONAL
HIGHER SECONDARY EXAMINATION, HOUSING BOARD
BUILDING, 3RD FLOOR, SHANTHI NAGAR,
THIRUVANANTHAPURAM.

BY ADV. SRI.P.C.SASIDHARAN, SC, KPSC
ADV. SMT. K.MEERA – GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	COPY OF THE NOTIFICATION PUBLISHED IN THE P.S.C. BULLETIN DATED 1.5.2004.
EXT.P2	COPY OF THE ADMISSION TICKET ISSUED TO THE PETITIONER by the SECRETARY TO P.S.C.
EXT.P3	COPY OF THE SHORT LIST PUBLISHED IN THE PSC BULLETIN DATED 15.8.2006.
EXT.P4	COPY OF THE GOVERNMENT ORDER GO(MS) DNO.57/91/G.EDN. DATED 4.4.91.
EXT.P5	COPY OF THE SYLLABUS FOR THE KGTE EXAMINATION PUBLISHED in the GAZETTE DATED 10.11.1989.
EXT.P6	COPY OF THE SYLLABUS FOR OFFICE SECRETARYSHIP COURSE IN VHSE FOR THE YEAR 1995.
EXT.P7	COPY OF THE GOVERNMENT ORDER G.O.(P) NO. 102/84/GAD DATED 2.4.1984.
EXT.P8	COPY OF THE GOVERNMENT ORDER (RT.) NO.464/87/H.EDN. DATED 21.2.1987.
EXT.P9	COPY OF THE REPRESENTATION DATED 22.12.2006 SUBMITTED BY THE PETITIONER BEFORE THE 5TH RESPONDENT WITH A/D CARD.
EXT.P10	COPY OF THE REPRESENTATION DATED 22.12.2006 SUBMITTED BEFORE THE 1ST RESPONDENT WITH A/D CARD.

// TRUE COPY //

PA TO JUDGE.

jg

K.K.DENESAN, J

W.P.(C)NO.33610 of 2006

Dated this the 12th day of January, 2007

O R D E R

Notice by speed post.

2. The petitioner applied for the post of Typist Grade II pursuant to the notification issued by the Public Service Commission. The qualification prescribed as per the notification is KGTE Typewriting (English) Higher whereas the qualification possessed by the petitioner is Typewriting (English) in Office Secretaryship in VHS. Ext.P4 Govt. Order issued on 4.4.1991 has equated the qualification from VHS with KGTE Typewriting (lower). The petitioner submits that this was done based on the syllabi then prescribed for the course and that the Govt. has omitted to take note of the subsequent changes in the syllabi. It appears from the pleadings and the documents produced along with this writ petition that the contention urged by the petitioner has merit. However, it may not be possible for the respondent Public Service

Commission to treat the qualification possessed by the petitioner as equivalent to the one notified unless the Govt. issues appropriate orders taking note of the change in the syllabi. In other words, as long as Ext.P4 G.O. dtd.4.4.1991 holds the field, and says that the qualification possessed by the petitioner is not equivalent but inferior to the one notified, the PSC has to act upon that G.O. only. The petitioner has submitted representation before the Government as well as the Director of the department requesting to pass orders declaring that the qualification possessed by the petitioner, namely, Typewriting (English) Office Secretaryship in VHS is equivalent to KGTE Typewriting (English) higher. The petitioner has approached this Court on receiving communication from the Public Service Commission directing her to produce equivalency certificate before the Commission.

3. For want of the equivalency certificate, the petitioner is likely to loose her chance of being considered for the post of Typist Gr.II by the Commission. There shall be an order directing the first respondent to take up for consideration Ext.P10 representation of the petitioner in the light of the facts stated therein and to pass appropriate orders, as expeditiously as possible, in any event, within one month.

4. Copy of the order passed shall be communicated to the

petitioner as also to the third respondent Commission immediately. If the first respondent thinks that necessary details shall be called for before passing orders, the same can be called for from respondents 4 and 5.

K.K.DENESAN, JUDGE

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